

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MATTHEW P. VYLETEL,

Plaintiff,

v.

Case No. 22-cv-12744  
Hon. Matthew F. Leitman

UNIVERSITY OF MICHIGAN –  
DEARBORN,

Defendant.

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**ORDER (1) OVERRULING OBJECTIONS (ECF No. 26) TO REPORT AND  
RECOMMENDATION (ECF No. 22); (2) ADOPTING RECOMMENDED  
DISPOSITION OF REPORT AND RECOMMENDATION; AND (3)  
DISMISSING ACTION WITH PREJUDICE**

This is one of three civil actions that Plaintiff Matthew Vyletel has filed against the University of Michigan (“UM”) and affiliated entities since October 2022. All three actions arise from the same operative facts, namely, Vyletel’s 2019 dismissal from a UM automotive team and UM’s subsequent decision to ban him from certain university facilities. In this civil action, he asserts claims against the University of Michigan – Dearborn that largely mirror the claims he brought in his other two actions. *See Vyletel v. University of Michigan, et al.*, Civil Action No. 22-12485 (“*Vyletel I*”); *Vyletel v. University of Michigan – Dearborn, et al.*, Civil Action No. 12744 (“*Vyletel II*”).

On March 16, 2023, the Court entered an order dismissing Vyletel’s claims in *Vyletel I* on the grounds that (1) the claims were barred by the Eleventh Amendment and (2) the claims were time-barred by the applicable statute of limitations. (*See Vyletel I*, ECF No. 37.) Shortly thereafter, the Court entered an order dismissing *Vyletel II*, explaining that Vyletel had asserted essentially the same claims as he did in *Vyletel I* and that dismissal was appropriate for the same reasons that the Court dismissed *Vyletel I*.

In this action, the University of Michigan – Dearborn filed a Motion to Dismiss on December 5, 2022. (*See Mot.*, ECF No. 10.) On March 31, 2023, the assigned Magistrate Judge issued a well-reasoned Report and Recommendation in which he recommended that the motion be granted and that the action be dismissed (the “R&R”). (*See R&R*, ECF No. 22.) The Magistrate Judge again concluded that Vyletel’s claims were barred by the Eleventh Amendment and by the applicable statute of limitations. (*See id.*)

Vyletel filed Objections to the R&R on April 6, 2023 (*see Obj.*, ECF No. 26), and a Supplemental Brief in Support of his Objections on April 19, 2023. (*See Supp. Br.*, ECF No. 29.) Vyletel’s Objections are lengthy and difficult to follow, and they do not demonstrate any error in the R&R. In fact, just as in *Vyletel II*, the bulk of the Objections here consists of a long list of definitions and legal concepts – but

without any showing as to how the definitions and concepts establish that the Magistrate Judge erred.

As it did in *Vyletel I* and *Vyletel II*, the Court concludes that the Magistrate Judge reached the correct conclusion for the correct reasons. Accordingly, **IT IS HEREBY ORDERED THAT:**

- Vyletel's Objections (ECF No. 26) to the R&R are **OVERRULED**.
- The disposition recommended in the R&R (ECF No. 22) is **ADOPTED**; and
- This action is **DISMISSED WITH PREJUDICE**.

**IT IS SO ORDERED.**

s/Matthew F. Leitman  
MATTHEW F. LEITMAN  
UNITED STATES DISTRICT JUDGE

Dated: April 24, 2023

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on April 24, 2023, by electronic means and/or ordinary mail.

s/Holly A. Ryan  
Case Manager  
(313) 234-5126